

FILED IN OPEN COURT
U.S.D.C. Atlanta

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FEB 25 2009

JAMES N. HATTEN, Clerk
By: *Sue Coakley* Deputy Clerk

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL INFORMATION
 :
 PAMELA WINN : NO. 1:09-CR-88-WBH
 :
 Defendant. :

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE
Bank Fraud
18 U.S.C. §§ 1344 and 2

1. From or about July 14, 2005, through on or about June 20, 2008, in the Northern District of Georgia, defendant PAMELA WINN, aided and abetted by others, did knowingly execute and attempt to execute a scheme and artifice to defraud insured depository financial institutions, including American Express Centurian Bank, Associated Federal Credit Union, Bank of America, Capital One Bank, CitiBank, CUNA Credit Union, E Trade Bank, First Equity Bank, First Premier Bank, Greater Wisconsin Credit Union, JP Morgan Chase Bank, New Millennium Bank, SunTrust Bank, Union Planters Bank, Wachovia Bank, Washington Mutual Bank, Wells Fargo Bank and others, as defined in Title 18, United States Code, Section 20, and to obtain money and funds owned by and under the custody and control of said financial institutions by means of materially false and fraudulent pretenses and representations, in that the defendant obtained and

attempted to obtain the proceeds of and benefits from mortgage loans and home equity lines, vehicle loans and leases, lines of credit and credit cards, with such extensions of credit being approved by said financial institutions based upon materially false and fraudulent qualifying information and other false pretenses and representations submitted and caused to be submitted by defendant WINN.

2. On or about June 20, 2007, in the Northern District of Georgia, defendant PAMELA WINN obtained a \$100,000 business equity line of credit secured by her 4770 Campbell Road personal residence from Wachovia Bank, a financial institution the deposits of which were then insured by the Federal Deposit Insurance Corporation, by concealing the fact that all equity in said property was secured by the government as restitution for victims of an earlier offense, and by submitting a forged guarantee in the name Mary Jean Jackson as owner of Go Git It Transporting and Hauling, when defendant WINN well knew Mary Jean Jackson to be her unemployed elderly grandmother with very limited income who could not and did not guarantee the repayment of such a loan, did not function as owner of Go Git It and was unaware of the \$100,000 Wachovia loan, all in violation of Title 18, United States Code, Sections 1344 and 2.

FORFEITURE PROVISION

3. Upon conviction of the offense alleged in Counts One of this Criminal Information, defendant PAMELA WINN shall forfeit to

the United States pursuant to 18 United States Code, Sections 981(a)(1)(c), 982(a)(2), and 28 United States Code, Section 2461(c) any property, real or personal, constituting or derived from proceeds obtained directly or indirectly as a result of the said violation.


4. If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to Title 18, United States Code, Section 982 (b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(c), 982 (a) and (b); Title 28, United States Code, Section 2461©; and Title 21, United States Code, Section 853(p).

DAVID E. NAHMIAS
UNITED STATES ATTORNEY


GALE McKENZIE
ASSISTANT UNITED STATES ATTORNEY
600 U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303
404/581-6000
Georgia Bar No. 494800